

From: [Mullaly, Michael T.](#)
To: [Ronda McNae](#); [Will McNae](#)
Cc: [Benjamin Roesch](#)
Subject: Meet and Confer - McNae et al. v. ARAG [I-AMS.FID5425010]
Date: Thursday, February 20, 2025 4:41:30 PM

Dear Mr. and Ms. McNae,-

I write pursuant to Section III.G of Judge Lin's Standing Order, to request that you meet and confer regarding ARAG's forthcoming motion for partial summary judgment on the basis that the Employee Retirement Income Security Act of 1974 ("ERISA"), 29 U.S.C. §§ 1001 et seq., preempts Plaintiffs' state law claims arising under ARAG Policy No. 10377 issued to Microsoft Corporation ("Microsoft") for the policy period January 1, 2022 through December 31, 2022 ("Microsoft Policy"). The Microsoft Policy includes the Group Legal Insurance Certificate and Service Plan ("Microsoft Certificate") provided to participants under, and incorporated within, the Microsoft Policy. The basic legal and factual bases for this document driven, legal determination are set forth in ARAG's Motion for Leave to File Amended Answer Instantly, ECF #26, the accompanying Declaration of Michael Mullaly and exhibits attached thereto, ECF #27 and 27-1 through 27-5, ARAG's responses to your Second Interrogatories and Requests for Production in August 2024, and documents produced in response thereto. In addition, ARAG supplemented its document production, initial disclosures, and interrogatory responses shortly ago today.

Please provide, at your earliest opportunity, your availability to meet and confer by telephone today (February 20), tomorrow (February 21), and Monday (February 24). Please note that we are requesting to meet and confer with both of you. We look forward to your timely response. Thank you.

Regards,
Michael



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